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UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK

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In re

Chapter 11

PRIMA PASTA & CAFE, INC.,

Case No. 17-40760-ESS

Debtor.

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**DEBTOR’S EX PARTE MOTION FOR ENTRY OF BRIDGE ORDER EXTENDING ITS
EXCLUSIVE PERIOD TO FILE AND SOLICIT ACCEPTANCES FOR A PLAN OF
REORGANIZATION UNTIL A FINAL HEARING ON THE MOTION**

TO THE HONORABLE ELIZABETH S. STONG,
UNITED STATES BANKRUPTCY JUDGE:

Prima Pasta & Cafe, Inc. (the “Debtor”), by its attorney Ortiz & Ortiz, L.L.P., respectfully
represents as follows:

BACKGROUND

1. The Debtor filed a voluntary petition on February 21, 2017 (the “Petition Date”).
The Debtor has remained in possession pursuant to 11 U.S.C. § 1107. No unsecured creditors’
committee has been appointed in this case.

2. Bankruptcy Code Section 1121(b) provides a small business debtor with the exclusive right to file a Chapter 11 plan of reorganization during the first 180 days after the date of the order for relief (the “Exclusivity Period”). In this case, the Exclusivity Period expires on August 21, 2017.

3. The Debtor filed a Motion to Extend its Exclusivity Period to File a Plan of Reorganization and Solicit Acceptance thereto today (the “Exclusivity Motion”). However, the Debtor cannot obtain a return date for its Exclusivity Motion before the Exclusive Period expires.

4. The next available hearing date for the Exclusivity Motion is August 30, 2017.

5. No other party in interest has indicated any intention of filing a competing plan in this case, or soliciting acceptances thereto.

6. By this Ex Parte Motion, the Debtor seek the entry of a “bridge order” pursuant to 11 U.S.C. § 1121 extending the exclusive period for soliciting acceptances on its plan from August 21, 2017, until August 30, 2017, in order to protect the Debtor’s rights pending the Court’s determination of the Exclusivity Motion.

7. The Debtor believes that it has satisfied the requirements of Section 1121(d) by filing its Exclusivity Motion before the exclusive period to solicit acceptances expires on August 21, 2017. See In re Michigan Produce Haulers, Inc., 525 B.R. 408, 412 (Bankr. W.D. Mich. 2015); In re Borders Grp., Inc., 460 B.R. 818, 821 (Bankr. S.D.N.Y. 2011). Nevertheless, the Debtor files this Ex Parte Motion for an “bridge order” in an abundance of caution.

8. The Debtor does not believe that this requested extension will prejudice the rights of any creditor.

WHEREFORE, in an abundance of caution, the Debtor’s respectfully request that the Court enter a “bridge order,” substantially in the form attached hereto as Exhibit “A,” extending

the exclusive period for soliciting acceptances to a plan by the Debtor from August 21, 2017, to August 30, 2017 pending the hearing on the Exclusivity Motion, and granting such further relief as is just and equitable.

Dated: Astoria, New York
August 7, 2017

/s/Norma E. Ortiz
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PROPOSED ORDER

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK

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In re

Chapter 11

PRIMA PASTA & CAFE, INC.,

Case No. 17-40760-ESS

Debtor.

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**EX PARTE ORDER PURSUANT TO 11 U.S.C. 1121(d)
EXTENDING THE DEBTOR’S EXCLUSIVE PERIOD TO FILE A PLAN
OF REORGANIZATION FROM AUGUST 21, 2017, TO AUGUST 30, 2017**

Upon motion (the “Motion”) of Prima Pasta & Cafe, Inc. (the “Debtor”), as debtor and debtor in possession herein, by its attorneys, for an order pursuant to Section 1121(d) of the Bankruptcy Code extending the exclusive period within which only the Debtor may file a Chapter 11 plan and solicit acceptances thereto; and after due deliberation and sufficient cause existing therefor; it is

ORDERED, that the Debtor’s exclusive period for filing a plan of reorganization under Section 1121(c)(2) of the Bankruptcy Code is extended from August 21, 2017, to August 30, 2017.

Dated: Brooklyn, New York
August ____, 2017

HON. ELIZABETH S. STONG
U.S. BANKRUPTCY JUDGE